

Town of Milton
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Milton Town Council Meeting Minutes
Monday, December 7, 2020
6:30 pm Regular Meeting

1. Call to Order- Mayor Kanakos called the meeting to order.
2. Roll Call:
Councilman Cote'
Councilman Garde
Councilwoman Meredith
Councilman Baty
Vice Mayor Kelly
Mayor Kanakos
3. Additions or Corrections to the Agenda
4. Agenda Approval
Councilman Garde made a motion to approve the agenda as written; seconded by Councilman Baty. Motion carried 6-0.
5. Executive Session:
 - a. Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion would disclose the contents of such documents
 - b. Strategy sessions, involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public bodyCouncilman Garde made a motion to come out of executive session, seconded by Councilman Cote. Motion carried 6-0.

Councilman Garde made a motion to go into regular session, seconded by Vice Mayor Kelly. Motion carried 6-0.
6. Discussion and possible vote on Executive Session items
Councilman Garde made a motion to approve the changes to the first document discussed in executive session, seconded by Vice Mayor Kelly. Motion carried 6-0.
Councilman Garde made a motion to approve the changes to the second document discussed in executive session, seconded by Vice Mayor Kelly. Motion carried 6-0.

7. Moment of Silence

8. Pledge of Allegiance to the Flag

9. **PUBLIC HEARING on Resolution 2020-20 to propose of borrowing of up to \$1,670,000 to finance public water system improvements. (Interim interest only payments pending 100% loan forgiveness) and to order the referendum to be scheduled.**

Mayor Kanakos explained the Town applied for grants to complete the water system improvements. Usually these are matching grants; however, in this situation the entire loan will be forgiven. The lending party has required interest only payments of 2% during the construction phase of the project. Mrs. Rogers gave a power point presentation to Council and public explaining the project will increase the fire flow capacity, increase the system resiliency, water quality and capacity as well as removing some lead corporations within the system. This project will include water main upgrades on a portion of Atlantic Street, Chestnut Street (portion between Front Street and Coulter Street), as well as Atlantic Avenue. There will be no fee increases, no tax increases, and no water increases as a result of this project. The interest only payments are projected at approximately \$16,000 and will be funded by transfer tax revenue.

Mrs. Rogers stated there was approximately 10% contingency included in the cost projection. The referendum is proposed for January 16, 2021. If passed, advertising will begin in February 2021 and opening bids in April 2021 and the construction period would be approximately May- September 2021.

(Comment from the public unintelligible). Mrs. Rogers confirmed the project would be in three different areas of town and the interest only payments would come out of the transfer tax account which is allowable by Delaware Code.

Steve Crawford- 216 Ridge Road, asked about the total cost of the project. Mrs. Rogers stated interest only payments are estimated at \$16,000. He supports the referendum and would like to see the benefits to the town well communicated to the residents. Mrs. Rogers stated a brochure will be mailed to property owners and residents at the end of the month as well as advertisements in the Cape Gazette.

Al Benson- 201 Collins Street, wanted to confirm the repayment of the \$1,670,000 was forgiven which was confirmed by Mrs. Rogers; there will be interest only payments.

John Collier- 301 Coulter Street, encourage Council to pass the resolution to take the water system improvements to referendum. The improvements support the health and welfare of the community.

Brian Miller, Pennoni Associates stated this type of grant and the forgiveness is difficult to receive. If any members of the public have questions regarding the plans, he is open to answer any questions.

Jack Bushey- Chairman of the Water Committee, congratulated Mrs. Rogers on her work as well as Mr. Wingo and the Water Committee on the 5, 10 and 15 year plans they are building to identifying and improve the needs of the Town's water system.

Cliff Newlands- 110 Oysterman Drive (online), asked about the grant and why this needed to go to referendum. Mrs. Rogers stated the funding has received 100% loan forgiveness; however, the Town Charter requires the referendum to borrow the money even though the interest only payments will be paid using transfer tax funds.

Councilman Garde made a motion to close the public hearing, seconded by Councilman Cote'. Motion carried 6-0.

10. Public Participation-

Chief Harvey presented Randall Preston with a Life Saving Award for his brave actions in a water rescue on Wagamons Pond where a single canoe had capsized on December 3, 2020. Mr. Preston rescued the individual and pulled him and the canoe to the edge of the pond where emergency personnel took over.

Steve Crawford- 216 Ridge Road, asked for an update on the wastewater treatment plant. Mrs. Rogers stated there have been a few plan revisions and Council recently approved a right of way easement that was needed on the property. Sharon Cruz of Pennoni Associates stated they are waiting on the submission of plans to perform a final plan review. Tidewater has received preliminary site plan approval and Pennoni is waiting on construction documents to finalize the plans.

Anne Pratt- 308 Chestnut Street, believes Milton needs a comprehensive traffic task force to resolve problems with speeding on Chestnut Street, and the noise from cherry bombs, glass packs, mufflers, cars with no mufflers and a car racing around town every night about 11 pm. She would like to know who enforces the vehicular noise ordinance and what can be done to remedy the speeding around town.

Mary Quigley- 305 Federal Street, she has noticed an increase in the amount of trucks in town and not using alternate Route 5. She agrees with what Anne Pratt said and would like the issues addressed.

Councilwoman Meredith stated the City of Lewes has a pedestrian and bicycle advisory committee and the group has an excellent comprehensive plan. She feels it would be beneficial to have something like that in Milton.

Mayor Kanakos stated Council members have received emails regarding similar concerns. Chief Harvey verified trucks that have been stopped going through town limits have shown officers their GPS takes them through the town and does not show the alternate truck route so they were not aware they shouldn't drive through town limits.

Chief Harvey also stated the officers have informed the drivers that the transportation office at the trucking companies should make all drivers aware they cannot come through town. Chief Harvey can increased traffic enforcement.

Al Benson- 201 Collins Street- he has a concern when Front Street is closed for repairs. Trucks will turn down Front Street from Cave Neck Road and there are no signs letting them know Front Street is closed in town so it means the trucks will turn up Collins Street and have trouble getting through the town streets. When Front Street is closed can signs be placed at Cave Neck Road alerting trucks that Front Street is closed ahead?

Vice Mayor Kelly would like to have communication with the business community in town benefiting from the truck traffic to make them aware of the truck restrictions on the narrow town roads and perhaps they can communicate that information to the trucking companies.

Bonnie Bloomquist- 301 Federal Street, she sent an email to each Council member to discuss a task force and identify issues that are problematic. The task force can get input from citizens. She mentioned other concerns such as shrubs blocking views of streets. She has counted trucks coming through town streets (semis), in July there were 10-15 trucks and recently it is 18-20 trucks per day. Her suggestion is to have the task force come up with a comprehensive plan with a time frame for the Council's consideration. She would like to review what other towns are doing and how they are managing traffic.

Jack Bushey- 412 Behringer Avenue, when appointing the committee make sure there is someone on the committee that is familiar with the motor vehicle code for the State of Delaware and understands those laws already on the books. He feels the issues are traffic enforcement related and perhaps Council can authorize overtime or special duty pay to address the concerns.

11. Requests for removal of items from the Consent Agenda

12. Approval of the Consent Agenda on the following items:

- a. Written Committee Reports
- b. Written Department Reports: Town Managers Report, including the Administrative, Project Coordinator, Police, Code Enforcement, and Public Works Department Reports
- c. Finance Report and Statement of Revenues and Expenditures for October 2020
- d. Minutes: November 2, and November 12, 2020
- e. Executive Session Minutes: November 2, and November 12, 2020

Councilman Garde made a motion to accept the approved Board of Adjustment minutes of September 29, 2020 and October 27, 2020 and approve the balance of the Consent Agenda with the exception of the Council minutes of November 2, 2020, seconded by Councilwoman Meredith. Motion carried 6-0.

13. Discussion and possible vote on items removed from the Consent Agenda

Councilman Cote' noted a correction on the November 2, 2020 Council minutes. Councilman Garde made a motion to approve the Council minutes from November 2, 2020 with the correction noted, seconded by Councilwoman Meredith. Motion carried 6-0.

14. Old Business- Discussion and possible vote on the following items:

- a. Resolution 2020-020 to propose borrowing of up to \$1,670,000 to finance public water system improvements. (Interim interest only payments pending 100% loan forgiveness) and to order the referendum to be scheduled
Discussion was held on correcting the location of the voting polls in paragraph four and removing the word "pending" in paragraph six. Councilman Garde made a motion to approve Resolution 2020-020 to propose borrowing of up to \$1,670,000 to finance public water system improvements with the modification discussed in paragraph four

and paragraph six that had been discussed. The motion was seconded by Councilman Baty. Roll call vote. Motion carried 6-0.

- b. Ordinance 2020-010 and Resolution 2020-023 on the annexation petition from Milton Attainable Housing, LLC for parcels 235-14.00-123.00 (24716 Broadkill Road), 235-14.00-123.01 (24700 Broadkill Road), 235-14.16-1.00, 235-14.16-2.00, 235-14.16-3.00, 235-14.164.00 and for the proposed amendment to the Town Comprehensive plan for the same parcels
Councilman Cote' made a motion to table item 14b, seconded by Councilman Grade. Motion carried 6-0.
- c. Ordinance 2020-011 and Resolution 2020-024 on the annexation petition from BBD, LLC on behalf of Stephen & Lynn Dexter for the parcel 235-14.15 67.00, and for the proposed amendment to the Town Comprehensive Plan for the same parcel
Councilman Cote' made a motion to table item 14c, seconded by Councilman Garde. Motion carried 6-0.

15. New Business – Discussion and possible vote on the following items:

- a. Intersection of Chestnut Street and Wharton Street
Councilwoman Meredith read points of concern and possible suggestions on improving the intersection. Concerns of a small tree obstructing the view of traffic, cars not coming to a complete stop, rampant speeding on Chestnut Street, Federal Street and Union Street, excessive speeding by fireman responding to calls, distracted drivers, and large trucks coming through town. Suggestions included a four way stop at the intersection of Wharton Street and Chestnut Street including four new pedestrian crosswalks with limit lines, removal of the tree at 314 Chestnut Street, two new ADA compliant corners on the Atlantic Street side of the intersection, and issuing tickets for motor vehicle violations, discussing with local businesses about the truck traffic and placing limit lines on all crosswalks in town.
Discussion was held on the concerns mentioned.
Councilman Garde suggested forwarding the memo from Councilwoman Meredith to the Streets, Sidewalks and Parks Committee for review and for the committee to report back to Council their comments and suggestions on how to improve the intersection and any other intersections needing attention in town.
- b. Extension of Employee COVID Policy
Mrs. Rogers shared the COVID policy implemented and stated the policy needs to be extended due to the ongoing virus situation and continuing State of Emergency.
Councilman Cote' discussed possible changes to the wording for testing requirements and diagnosis.
Councilman Garde made a motion to approve the Coronavirus policy with the two additions suggested by Councilman Cote and with a change to the expiration date until the State of Emergency has been lifted; seconded by Councilman Baty. Motion carried 6-0.

c. iCompass Meeting Management (Virtual meeting and documentation)

Mrs. Rogers stated this item was first reviewed during the FY 21 budget presentation in August and the cost was approved in the FY21 budget. Council was recently presented with a demo of the software to review. The software will assist staff and Council on the transparency of documents and allowing virtual meetings to take place in the event of the pandemic shut down. Discussion was held on the software and its capability for staff, council and the public.

Councilman Garde made a motion to approve the total operating cost of \$12,978.44 for implementing the first phase of the iCompass system; seconded by Vice Mayor Kelly. Discussion was held on the motion. Roll call vote. Motion carried 4-2.

16. Adjournment

Councilman Garde made a motion to adjourn; seconded by Vice Mayor Kelly. Motion carried 6-0.